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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

JVJ PHARMACY INC. D/B/A  
UNIVERSITY CHEMISTS,

Chapter 7  
Case No. 16-10508 (SMB)

Debtor.  
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**CHAPTER 7 TRUSTEE'S APPLICATION FOR ENTRY OF AN ORDER:  
(I) ESTABLISHING DEADLINE FOR FILING PROOFS OF CHAPTER 11  
ADMINISTRATIVE CLAIMS AGAINST THE DEBTOR AND (II)  
DESIGNATING THE FORM AND MANNER OF NOTICE**

To: The Honorable Stuart M. Bernstein  
United States Bankruptcy Judge  
United States Bankruptcy Court  
Southern District of New York:

Salvatore LaMonica, Esq., the Chapter 7 Trustee (the "Trustee") of the bankruptcy estate of JVJ Pharmacy Inc. d/b/a University Chemists (the "Debtor"), by his attorneys, LaMonica Herbst & Maniscalco, LLP, hereby submits the instant application (the "Application"), seeking the entry of an Order, pursuant to Sections 105(a) and 503(b) of Title 11 of the United States Code (the "Bankruptcy Code") and Rules 1019(6) and 3003(c)(3) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"): (i) fixing July 13, 2018 (the "Administrative Bar Date") as the last date for all creditors whose claims arose against the Debtor from March 3, 2016 (the "Petition Date"), the date the Debtor filed its voluntary Chapter 11 petition, through and including December 21, 2017 (the "Conversion Date"), the date the Debtor's case was converted to a case under Chapter 7 of the Bankruptcy Code (the "Administrative Claim"), to file

proofs of such Administrative Claim; and (ii) designating the form and manner of notice of the Administrative Bar Date, and respectfully represents as follows:

### **Jurisdiction and Venue**

1. This Court has jurisdiction to consider the Application pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(o). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory predicates for the relief sought in this Application are Sections 105(a) and 503(b) of the Bankruptcy Code and Bankruptcy Rules 1019(6) and 3003(c)(3).

### **Background**

2. On the Petition Date, the Debtor filed a voluntary petition for reorganization pursuant to Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of New York (the “Court”).

3. By Order of the Court dated December 21, 2017, the Debtor’s case was converted to one under Chapter 7 of the Bankruptcy Code.

4. By Notice of Appointment, Salvatore LaMonica, Esq. was appointed as the interim Chapter 7 Trustee of the Debtor’s estate and has since duly qualified by operation of law as the permanent Trustee.

### **The Application**

5. In order for the Trustee to properly complete the administration of this estate and determine the potential universe of claims against the Debtor, it is necessary for the Court to enter the proposed Order, annexed hereto as **Exhibit “A”**, which establishes the Administrative Bar Date for Administrative Claims.

6. Accordingly, the Trustee filed the instant Application in accordance with Sections 105(a) and 503(b) of the Bankruptcy Code and Bankruptcy Rules 1019(6) and 3003(c)(3) seeking to establish July 13, 2018, as the last date for creditors to file proofs of an Administrative Claim against the estate.

7. Any person or entity that has already filed a proof of Administrative Claim against the Debtor in this case with the Clerk of the Court shall **not** be required to file proof of such Administrative Claim.

8. As set forth in the proposed Order, the Trustee intends to give notice of the Administrative Bar Date (the “Administrative Bar Date Notice”), substantially in the form annexed as **Exhibit “B”**, by serving a copy of the Administrative Bar Date Notice by first class mail upon: (a) the Debtor and its counsel; (b) the Office of the United States Trustee; (c) all persons or entities that have requested notice of the proceedings in the Chapter 11 or Chapter 7 cases; (d) all persons or entities that have filed claims; (e) all creditors and other known holders of claims as of the date of the proposed Order, including all persons or entities listed in the Debtor’s bankruptcy schedules; (f) all parties to litigation with the Debtor; (g) all parties to executory contracts and unexpired leases of the Debtor; (h) the Internal Revenue Service for the district in which the case is pending and, if required by Bankruptcy Rule 2002(j); (i) the Securities and Exchange Commission; and (j) any other required governmental units.

9. In accordance with the foregoing, it is respectfully submitted that the entry of the proposed Order is in the best interests of the Debtor, the estate, the creditors and other parties in interest.

10. No previous application or motion has been submitted to this or any other Court for the relief sought herein.

**WHEREFORE**, the Trustee respectfully requests that this Court enter the annexed Order: (i) fixing July 13, 2018 as the Administrative Bar Date for Administrative Claims; and (ii) approving the form and manner of Administrative Bar Date Notice.

Dated: May 15, 2018  
Wantagh, New York

**LaMonica Herbst & Maniscalco, LLP**  
Counsel to the Chapter 7 Trustee

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